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SUBJECT: IRELAND: EU COMMON CHARGING SCHEME FOR ANS SHOULD
MAINTAIN STATUS QUO

REF: A. STATE 24725

1B. YOUNG-HAAS PHONE CALL OF MARCH 10

11. The EUROCONTROL draft regulation on the Common Charging Scheme for Air Navigation Services (ANS) is evolving toward a version that would protect exemptions of state aircraft from ANS fees, according to Fintan Towey, Department of Transport Principal Officer for Aviation Security, to whom emboff delivered ref tel demarche on March 9. Towey noted that the GOI favored maintenance of the status quo for state aircraft exemptions and that USG interventions with other Member States had prompted revisions of the draft regulation in that direction. He predicted that the revision process would delay adoption of the regulation for weeks, if not months. (Notwithstanding Towey's comments, Post understands that provisions subjecting state aircraft to ANS fees still appear in the latest version of the draft regulation, per ref B.)

12. Towey pointed out that the GOI, unlike the USG, believed that state aircraft should be subject to fees associated with landing and parking services. He stressed, however, that the GOI saw this difference as a matter of varying interpretations of relevant ICAO provisions; the issue did not fall within the purview of the Common Charging Scheme regulation. When emboff asked whether the GOI intended to pursue payment for such services, Towey replied that government discussion had not proceeded to the point of a decision on the question. (Comment: The Department of Transport raised this difference of opinion with the Embassy roughly a year ago in informal communication, but did not demand payment. Transport officials cited reciprocity issues, insofar as U.S. military transits at Shannon and Dublin far outstripped Irish state flights to/through the United States, with the result that the Irish side was providing a greater level of landing and parking services to the U.S. side.) (Further Comment: We do not believe that this analysis is necessarily true.)

BENTON